IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5195 OF 2003

The State of Maharashtra ...Applicant

Versus

Ravindra Mahadeo Dhadake ...Respondent

ALONGWITH
CRIMINAL APPLICATION NO. 5196 OF 2003

The State of Maharashtra ...Applicant

Versus

Suhas Hanmant Sorate ...Respondent

ALONGWITH
CRIMINAL APPLICATION NO. 5197 OF 2003

The State of Maharashtra ...Applicant

Versus

Niwas Hanmant Sorate ...Respondent

ALONGWITH
CRIMINAL APPLICATION NO. 5223 OF 2003

The State of Maharashtra ...Applicant

Versus

Sagar Sambhaji Padalkar ...Respondent

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Mr. D.P. Adsule A.P.P. for applicant-State in Appln. No. 5195 and 5223 of 2003.

Mr. Y.S. Shinde, A.P.P.for applicant-State in Appln. No.5196 and 5197 of 2003.

Mr. Abhinandan Vagyani, Adv. for Respondent in all applications.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 12TH SEPTEMBER, 2005

P. C.:-

1. Heard learned A.P.P. for the applicant-State and the learned advocate for the respondents i.e. original accused.

2. The State has preferred these applications for cancellation of bail granted to the respondents in May 2003. The ground for cancellation of bail is that there was sufficient material to show the complicity of the respondents in the crime and hence, bail ought not to have been granted to the respondents. In the present case, it is an admitted fact that the investigation is over and the charge sheet has been filed. Charges have also been framed in the present case and the case is kept before the trial court today for recording the evidence.

3. As far as the present respondents are concerned, it is not the prosecution case that they are likely to abscond or that they have flouted any of the conditions imposed on them when bail was granted to them. So also, it is not the prosecution case that any of these respondents have threatened any of the prosecution witnesses or in any way tampered with any

of the prosecution witnesses.

4. As far as the respondent Mr. Niwas Hanmant Sorate is concerned, N.C. No.38 of 2004 was lodged at Rajarampuri police station against him by Mr. Keshav Gavli i.e. father of the deceased. However, the police have enquired into the said complaint and it is found that the said complaint was false. Thus, there is no material against any of the present respondents that they had in any way tampered with the prosecution witnesses.

5. Looking to the fact that the trial in the present case has started and there are no allegations against any of the respondents, at this stage, I do not think that this is a fit case to cancel the bail granted to the respondents. Hence, applications are rejected. The trial relating to Sessions Case No. 80 of 2003 pending in the Sessions Court at Kolhapur, is expedited.

5. Applications are disposed of.

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